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10 UNITED STATES DISTRICT COURT FOR
11 THE NORTHERN DISTRICT OF CALIFORNIA
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13 Chelsea, LLC, Mark Russo, Allen Loretz, and
14 Ivan Simpson, individually and on
behalf of all others similarly situated,

15 Plaintiffs,

16 v.

17 Regal Stone, Ltd., Hanjin Shipping, Co., Ltd.,
18 Conti Cairo KG, NSB Neiderelbe, Synergy
Maritime, Ltd. *In Personam*; M/V Cosco
19 Busan, their engines, tackle, equipment,
appurtenances, freights, and cargo *In Rem*,

20 Defendants.
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Case No. C-07-5800-SC

**[PROPOSED] INITIAL
CASE MANAGEMENT ORDER**

WHEREAS Plaintiff Chelsea, LLC, on behalf of himself and all others similarly situated who allegedly suffered injury due to the San Francisco Bay Area November 7, 2007 oil spill, filed a class action complaint on November 13, 2007, in the United States District Court for the Northern District of California, alleging common law class claims against various defendants (*Chelsea, et al. v. Regal Stone, Ltd., et al.*);

WHEREAS it is anticipated that additional related actions may be filed in, or transferred or removed to, this Court; and

WHEREAS the existence of common questions of law and fact in the actions now pending before this Court, the interests of fair and efficient administration of the actions and the avoidance of unnecessary duplicative efforts, warrants the consolidation of the actions, and the setting of a status conference to discuss, among other things, future motion practice and discovery, and good cause appearing therefore;

IT IS HEREBY ORDERED AS FOLLOWS:

I. MASTER DOCKET FILE

1. The Clerk shall establish and maintain a Master Docket and Master File for this proceeding under the caption "In re Cosco Busan November 7, 2007 Oil Spill Litigation," Case No. C-07-5800-SC. All orders, pleadings, motions, and other documents should, when filed and docketed in the Master File, be deemed filed and docketed in each individual case. Counsel is instructed that all future filings are to bear the initials "SC" immediately after the case number.

2. Every pleading filed in these Consolidated Actions, or in any separate action included therein, shall bear the following caption:

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

IN RE COSCO BUSAN NOVEMBER 7, 2007
OIL SPILL LITIGATION

Master Case No. C-07-5800-SC

3. This Order shall apply to all actions instituted in, removed to, or transferred to this Court that involve the same or substantially similar issues of law and fact (collectively, the "Consolidated Actions"), subject to the following procedures:

1 (a) When such a case is filed in, removed to, or transferred to this Court, the
2 Clerk of the Court shall:

- 3 (i) place a copy of this Order in the separate file for such action;
4 (ii) provide a copy of this Order by mail or electronically pursuant to
5 local rules to counsel for Plaintiff(s) in the newly-filed or
6 transferred action and to any Defendant(s) in the newly-filed or
7 transferred action; and
8 (iii) make an appropriate entry on the Master Docket for the
9 Consolidated Actions.

10 (b) Each new case that arises out of the subject matter of the Consolidated
11 Action, which is filed in this Court or transferred to this Court, shall be consolidated with the
12 Consolidated Actions and this Order shall apply to that action, unless a party in such newly-filed
13 or transferred action objects to consolidation, within ten (10) days after the date upon which a
14 copy of this Order is served on counsel for such party, by filing an application for relief, and this
15 Court deems it appropriate to grant such application. This consolidation does not constitute a
16 determination that the actions should be consolidated for trial, nor does it have the effect of
17 making any entity a party to any action in which he, she or it has not been named, served or
18 added in accordance with the Federal Rules of Civil Procedure. When pleading is intended to
19 apply to all actions, this shall be indicated by the words: "This Document Relates to All Cases."
20 When a pleading is intended to apply to fewer than all cases, this Court's docket number for each
21 individual cases to which the document number relates shall appear immediately after the words
22 "This Document Relates to."

23 4. Counsel shall call to the attention of the Court and the Clerk the filing or transfer
24 of any case which might properly be consolidated with the Consolidated Actions. Mailing or
25 other delivery of a copy of this Order by Defendant's counsel or Plaintiffs' counsel, as
26 appropriate, to the counsel in any newly-filed or transferred actions shall constitute valid notice
27 thereof for purposes of establishing its applicability to such action in accordance with this Order.
28 All matters presently scheduled for hearing in the reassigned cases are hereby vacated.

II. APPOINTMENT OF INTERIM PLAINTIFFS' LIAISON COUNSEL

5. Based on appropriate factors outlined in the *Manual of Complex Litigation* (4th Ed.), Attorney William M. Audet of Audet & Partners, LLP, 221 Main Street, Suite 1460, San Francisco, California 94105, telephone: (415) 982-1776, facsimile: (415) 568-2556 (E-mail address: waudet@audetlaw.com) shall be appointed as "Interim" Plaintiffs' Liaison Counsel. Plaintiffs' Liaison Counsel shall be authorized to receive and circulate notices on behalf of Plaintiffs, shall maintain a current and updated service list, and shall coordinate the filing of any consolidated pleadings (and other documents) and work with other plaintiffs' counsel with related filed cases to propose to the Court a Plaintiffs' leadership structure for the litigation.

6. Plaintiffs' Liaison Counsel shall "meet and confer" with counsel for the Defendants to discuss, *inter alia*, issues relating to filing of consolidated complaint(s) and other related initial procedural matters regarding this consolidated action.

IT IS SO ORDERED.

Dated:

THE HONORABLE. SAMUEL CONTI
UNITED STATES DISTRICT COURT JUDGE